

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL LANDIS,

Defendant.

CASE NO. CR07-5611BHS

ORDER DENYING  
DEFENDANT'S MOTION TO  
AMEND SENTENCE

This matter comes before the Court on Defendant's Motion to Amend Judgment and Sentence. Dkt. 31.

On January 25, 2008, Defendant was sentenced to 80 months incarceration and 36 months supervised release. *See* Dkt. 30. In that Judgment, the Court included a recommendation to the Bureau of Prisons that Defendant "be evaluated for drug dependancy and/or treatment." *Id.* at 2. On February 16, 2010, Defendant filed a Motion to Amend Judgment and Sentence requesting that the Court amend the Judgment to specify the 500 hour Residential Drug Program. Dkt. 31.

The Court is without authority to mandate Defendant's inclusion in any particular drug program while Defendant is serving a term of imprisonment. Therefore, the Court denies Defendant's motion.

**IT IS SO ORDERED.**

DATED this 31<sup>st</sup> day of March, 2010.



BENJAMIN H. SETTLE  
United States District Judge

ORDER